

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

UNITED STATES OF AMERICA,)
v.)
Plaintiff)
DOUGLAS DURAN CERRITOS,)
Defendant.)
Criminal Number: 1:14-CR-00306
Honorable Gerald B. Lee

DEFENDANT'S MOTION FOR CONTINUANCE AND SEVERANCE

Unfortunately, lead counsel for the defendant, Douglas Duran Cerritos, must respectfully ask the Court to Continue the trial of this matter, and if necessary, sever his trial from the remaining codefendants. The reason for this request is that on January 20, 2016 lead counsel was advised by his doctor that a CAT Scan revealed a tumor in the liver. On January 22, 2016 a biopsy was performed on the tumor. Counsel's medical providers have not been able to, up to this point in time, pinpoint exactly the nature of the tumor, other than it is malignant. Without a specific diagnosis the doctors have not been able to advise counsel on treatments plans or how adversely any treatment will impact his availability on March 21, 2016 or his ability to prep for trial during the course of the next few weeks.

What has been explained to counsel is that there is a substantial likelihood of surgery to remove the malignant tumor in the liver. The probable timeframe of the surgery is within the next 10 to 14 days. This is invasive surgery. Recovery from the surgery is 4 to 6 weeks. The doctors have not advised if there is any course of treatment, such as chemo or radiation, that might be necessary post-surgery.

WHEREFORE counsel, out of abundance of caution, is advising the Court of his predicament and asking the Court to consider severing the trial of Douglas Duran Cerritos from the remaining co-defendants. Counsel is also asking for permission to join in the telephonic hearing set for February 4, 2016 at 11:00 a.m.

Respectfully Submitted,
DOUGLAS DURAN CERRITOS

By: _____/s/_____
Counsel

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CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of February, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

Stephen M. Campbell, Esq.
Assistant U.S. Attorney
and
Julia K. Martinez, Esq.
Assistant U.S. Attorney
and
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and to counsel for all other defendant's in this matter.

/s/

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